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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,366	09/22/2000	Christopher John Ling	GB9-1999-0146US1	9751
25259	7590	12/19/2006	EXAMINER	
IBM CORPORATION 3039 CORNWALLIS RD. DEPT. T81 / B503, PO BOX 12195 REASEARCH TRIANGLE PARK, NC 27709			HO, THOMAS M	
			ART UNIT	PAPER NUMBER
			2132	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/667,366	Applicant(s) LING, CHRISTOPHER JOHN	
	Examiner Thomas M. Ho	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/2/01, 3/16/03, 11/17/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The preliminary amendment of 10/12/05 has been received and entered.
2. Claims 1-20 are pending.

Response to Arguments

The Examiner has examined the Applicant's arguments but has found them unpersuasive after careful consideration.

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The Applicant has argued the office incorrectly equates a file in a Distributed Computing Environment (DCE) of Shi with the element of a web page that is displayed as an embedded element of said web page as included in the present invention...

The Examiner contends however that regardless of the environment that Shi is performed in, Shi is nevertheless concerned with the access of specific webpages and the interactions thereafter. The claims do not recite any limitation that precludes that the actions performed by them to a non Distributed Computing Environment.

The Applicant also argues:

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Furthermore, the Office is in Error in stating that Shi discloses storing an indicator in response to a request from a client for a web page hosted by a web server. In Shi, the indicator is stored only after a user has logged into the network.

The Examiner contends however that whether or not the indicator is stored only after a user has logged into the network does not make Shi any less anticipatory. As the rejection was written, the indicator of claim 1 was mapped to be a cookie and not some manner of login token. ~~A~~
68 ✓ ~~cookie.~~

Response to Amendments

The Applicant has amended claim 1 to recite:

Responsive to a request from a client for an element of said web page that is displayed as an embedded element of said web page, checking for said indicator that said client has requested said web page from said web server.

However, the Examiner notes that a request from a client for a web page is in effect, a request for the elements of that web page. In other words, when a client requests a website, they want the content of that website including the images, the text, the sound, the music, and/or video that will displayed on that website. The Examiner has interpreted these elements to be “embedded elements” displayed of said web page.

Furthermore, Shi et al. US patent 5,875,296 elucidates this in (Column 1, lines 1-20) which recites:

"In the web environment, client machines effect transactions to Web servers using sic the Hypertext Transfer Protocol (HTTP), which is a known application protocol providing users access to files (e.g. text, graphics, images, sound, video, etc.) using a standard page description language Hypertext Markup Language(HTML)."

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8, 11-13, 15-16, 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Shi et al., US patent 5,875,296.

In reference to claim 1:

Shi et al. discloses a method of verifying a right to use an element of a web page hosted by a web server, the method comprising the steps of:

- Responsive to a request from a client for a web page hosted by a web server, storing an indicator that said client has requested a web page hosted by said web server, where the

indicator is a cookie, stored on the client side. (Column 8, lines 32-35) The process begins with the client making an HTTP request as disclosed by (Column 8, lines 14-31)

- Responsive to a request from a client for an element of a web page, checking for said indicator that said client has requested a web page from said web server, where in response to a client request for a webpage a test is made to see if the browser supports cookies, and if so, has a cookie previously been issued (checking said indicator that client has requested a webpage). (Column 8, lines 21-31)
- Responding to the request from the client for said element of a web page hosted by the web server according to the result of said checking step, where if the cookie authentication was not successful an HTML document describing the failure is returned. (Column 8, lines 51-60)

In reference to claim 2:

Shi et al. discloses a method as claimed in claim 1, wherein said storing step comprises:

Returning to the client a persistent client state object having an identifier therein;

And wherein said checking step comprises checking for said persistent client state object having the identifier therein returned by said client, prior to said responding step. (Column 8, lines 54-60)

In reference to claim 3:

Shi et al. discloses a method as claimed in claim 2 wherein the persistent client state object is a cookie. (Column 6, lines 49-51)

In reference to claim 4:

Shi et al. discloses a method as claimed in claim 2 wherein the persistent client state object expires after a pre-determined period of time. (Column 7, lines 15-20)

In reference to claim 5:

Shi et al. discloses a method as claimed in claim 1 wherein said storing step comprises adding an identity of said client to a table associated with said web server; (Column 8, lines 61-66)

And wherein said checking step comprises checking for client identity in said table, prior to said responding step, where the checking step uses the cookie to check for credentials. (Column 8, line 66) – (Column 9, line 13)

In reference to claim 6:

Shi et al. discloses a method as claimed in claim 1 wherein said table includes an expiry time associated with a respective client identity in said table, where the unique id stored in a cookie, is stored in a table (Column 8, lines 61-66) and where cookies have an expiry time associated with a client identity in the table (Column 7, lines 15-20)

In reference to claim 7:

Shi et al. discloses a method of verifying a right to use an element of a web page hosted by a web server, the method comprising the steps of:

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- Responsive to a request from a client for an element of a web page, checking said request for an indicator that said request results from a client request for a web page hosting by an authorized web server, where this request initiates searching for the authentication cookie, which may or may not be included in the actual request itself (Column 9, lines 8-10) and where the cookie is matched to see if it belongs to the right domain of authorization, or an authorized web server (Column 7, lines 26-35) as part of the authentication process.
- Responsive to the presence of such an indicator, responding to the request from the client with said element of a web page, where upon authentication the web document is retrieved. (Column 9, lines 3-10)

In reference to claim 8:

Shi et al. discloses a method as claimed in claim 7 wherein said indicator comprises a Uniform Resource Locator for said web page, and said checking step comprises checking that said web page URL is from an authorized web server. (Column 7, lines 25-35, lines 51-55) & (column 8, lines 32-41)

In reference to claim 11:

Shi et al. discloses a method as claimed in claim 7 operable in one of said web server or a proxy server connecting said web client to said web server, where (Figure 3) discloses the method operable in a web server connecting the web client to the web server.

In reference to claim 12:

Shi et al. discloses a method as claimed in claim 7 wherein if said checking step fails to detect said indicator, said responding step comprises returning a message for display at the client to the client, where the message is an HTML document describing the error. (Column 8, lines 51-54)

In reference to claim 13:

Shi et al. discloses a method as claimed in claim 7 wherein if said checking steps fails to detect said indicator, said responding step comprises returning a substitute element to the client, where the substitute element is an HTML document with an error message. (Column 8, lines 51-54)

In reference to claim 15:

Shi et al. discloses a method in a web client of verifying a right to use an element of a web page hosted by a web server, the method comprising the steps of:

- Responsive to encountering a request for an element of a web page, checking that said request results from a client request for a web page hosted by an authorized web server, where this request results in authenticating the client by searching for the authentication cookie, where the cookie is matched to see if it belongs to the right domain of authorization (authorization server) (Column 7, lines 26-35), and if to be valid is searched for the authentication credentials (the unique id) (Column 9, lines 3-10)
- Responsive to such a request, requesting said web page element from a server hosting said web page element, where upon authentication the web document is retrieved.
(Column 9, lines 3-10)

The multiple dependent claim, claim 16, is rejected for the same reasons as claims 1, 7 and 15.

In reference to claim 18:

Shi et al. discloses the method as claimed in claim 1, wherein if said checking step fails to detect said indicator, said responding step comprises returning a message for display at the client to the client, where the message is an HTML document describing the error. (Column 8, lines 51-54)

In reference to claim 19:

Shi et al. discloses the method as claimed in claim 1, wherein if said checking step fails to detect said indicator, said responding step comprises returning a substitute element to the claim, where the substitute element is an HTML document with an error message. (Column 8, lines 51-54)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9, 10, 14, 17, 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Shi et al, US patent 5,875,296.

In reference to claim 9:

Shi et al. discloses all of claim 9 except wherein said indicator comprises a meta-tag incorporated in web pages from authorized servers, and said checking step comprises checking that said meta-tag is from an authorized web server.

The examiner takes official notice that having a meta-tag incorporated in a web page was well known to those of ordinary skill in the art. These meta-tags can be used to set cookies and “label” a URL to possibly identify keys and attributes about the web page. For example, this introductory web development tutorial

http://www.webdeveloper.com/html/html_metatags_part2.html

discloses their usage in websites.

It would have been obvious to one of ordinary skill in the art to also use as an indicator, the meta tags of a website to check if the meta-tag came from an authorized server, given that the meta-tag would allow identification and assessment of the website using more information than just a URL.

In reference to claim 10:

Shi et al. discloses all of claim 9 except wherein said meta-tag is a PICS compliant tag.

The examiner takes official notice that PICS compliant meta-tags were well known in the art. An example can be found on this introductory web development tutorial

http://www.webdeveloper.com/html/html_metatags_part2.html

It would have been obvious to one of ordinary skill in the art at the time of invention to use PICS compliant meta tags, because it is a common standard which may also be used to identify the owner of the intellectual property, and identify the contents of the website.

In reference to claim 14:

Shi et al. fails to explicitly disclose a method as claimed in claim 7 wherein if said checking step fails to detect said indicator, said responding step comprises returning no response to the client. It would have been obvious to one of ordinary skill in the art at the time of invention, to ignore requests that weren't authenticated, and return no response to the client in order to conserve bandwidth by not sending any error message.

The multiple dependent claim, claim 17, is rejected for the same reasons as claims 1-15.

In reference to claim 20:

Shi et al. fails to explicitly disclose a method as claimed in claim 1 wherein if said checking step fails to detect said indicator, said responding step comprises returning no response to the client. It would have been obvious to one of ordinary skill in the art at the time of invention, to ignore requests that weren't authenticated, and return no response to the client in order to conserve bandwidth by not sending any error message.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of the final action and the advisory action is not mailed under after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension pursuant to 37 CFR 1.136(A) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on **(571)272-3799**.

The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

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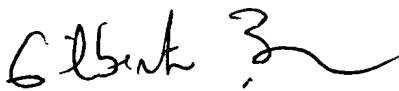
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TMH

October 14th 2006


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